

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

TONY FOUNTAIN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:06cv548-MHT
)	
DR. PEASANT, et al.,)	
)	
Defendants.)	

ORDER

After an independent and de novo review of the record, it is ORDERED as follows:

- (1) Plaintiff's objections (doc. no. 16) are overruled.
- (2) The United States Magistrate Judge's recommendation (doc. no. 14) is adopted.
- (3) Plaintiff's motion to dismiss (doc. no. 10) is granted, and defendant State of Alabama, along with the claims against it, is dismissed.

(4) All remaining aspects of this case are referred back to the magistrate judge for further appropriate proceedings.

DONE, this the 16th day of August, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE